

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff,

Plaintiff,

v.

UBS EUROPE SE (f/k/a UBS (LUXEMBOURG)  
S.A.), UBS FUND SERVICES (LUXEMBOURG)  
S.A., UBS THIRD PARTY MANAGEMENT  
COMPANY S.A., M&B CAPITAL ADVISERS  
SOCIEDAD DE VALORES, S.A., RELIANCE  
INTERNATIONAL RESEARCH LLC,  
LUXEMBOURG INVESTMENT FUND AND  
LUXEMBOURG INVESTMENT FUND U.S.  
EQUITY PLUS, as represented by their Liquidators  
MAÎTRE ALAIN RUKAVINA and PAUL  
LAPLUME, MAÎTRE ALAIN RUKAVINA and  
PAUL LAPLUME, in their capacities as liquidators  
and representatives of LUXEMBOURG  
INVESTMENT FUND AND LUXEMBOURG  
INVESTMENT FUND U.S. EQUITY PLUS,

Defendants.

Adv. Pro. No. 10-5311 (CGM)

**ERRATA ORDER REGARDING MEMORANDUM OF DECISION DENYING  
DEFENDANTS' MOTION TO DISMISS**

The Memorandum Decision Denying Defendant's Motion to Dismiss, dated October 10, 2023 (ECF No. 319), should be corrected as follows. On page 10, the paragraph entered as:

Defendant is a securities broker-dealer organized in Spain. (*Id.* ¶ 84). M&B allegedly created and ran the feeder fund, LIF-USEP, which invested \$758 million with BLMIS. (Am. Compl. ¶¶ 169, 258–59.). It allegedly received BLMIS account statements and trade confirmations. (*Id.* ¶ 259). As distributor of LIF-USEP, M&B recruited investment capital for the fund. (*Id.* ¶¶ 4, 92, 179). It received millions in fees in the form of BLMIS money through LIF-USEP as a result from its relationship to LIF-USEP. (*Id.* ¶¶ 92, 171, 270). M&B also served as the feeder fund's official sponsor, custodian, administrator, manager, and advisor. (*Id.* ¶ 259).

should be corrected to read as follows:

Defendant is a securities broker-dealer organized in Spain. (Am. Compl. ¶ 84). M&B allegedly created and ran the feeder fund, LIF-USEP, which invested \$758 million with BLMIS. (*Id.* ¶¶ 169, 258–59.). It allegedly received BLMIS account statements and trade confirmations. (*Id.* ¶ 259). As distributor of LIF-USEP, M&B recruited investment capital for the fund. (*Id.* ¶¶ 4, 92, 179). It received millions in fees in the form of BLMIS money through LIF-USEP as a result from its relationship to LIF-USEP. (*Id.* ¶¶ 92, 171, 270). M&B also served as the feeder's distributor and advisor. (*Id.* ¶ 259).

**Dated: October 26, 2023**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**